

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 20, 2005

Bulk Item: Yes X No

Division: Growth Management

Department: Planning

Staff Contact Person: K. Marlene Conaway

AGENDA ITEM WORDING: Approval for one Restrictive Covenant from John C. Novick to have one dwelling unit on contiguous lots described as Lots 3 & 4, Block 5, Bahia Mar Estates, Key Largo.

ITEM BACKGROUND: On February 9, 2005 the Planning Commission approved an allocation award for the applicant listed below provided the applicant's Restrictive Covenant is approved by the BOCC. John C. Novick submitted the Restrictive Covenant to Monroe County. The applicant is receiving one dwelling unit allocation award for the year ending July 13, 2005, has filed the document in accordance with Ordinance No. 47-1999.

PREVIOUS RELEVANT BOARD ACTION: On November 11, 1999, the BOCC adopted Ordinance No. 047-1999.

CONTRACT/AGREEMENT CHANGES: N/A.

STAFF RECOMMENDATION: Approval.

TOTAL COST: X

BUDGETED: Yes N/A No

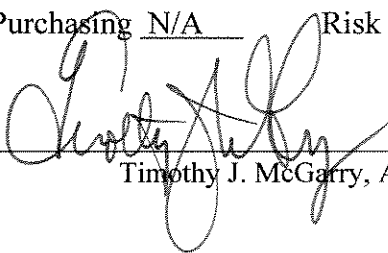
COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No **AMOUNT PER MONTH** N/A **Year**

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:



Timothy J. McGarry, AICP

DOCUMENTATION: Included X Not Required

DISPOSITION:

AGENDA ITEM #

M E M O R A N D U M

TO:: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director 
DATE: April 20, 2005
RE: Clarification of Agenda Item

Restrictive Covenant

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
02-3-1534	John C. Novick	John C. Novick	Lots 3 & 4, Block 5, Bahia Mar Estates, Key Largo

This instrument prepared by:
John C. Novick
13 Gulf Drive
Key Largo, FL 33037

LOT AGGREGATION RESTRICTIVE COVENANT

1. **WHEREAS**, John C. Novick, a single man, the undersigned is the sole owner of the following described real property located in Monroe County, Florida, described as follows:

Lots: 3 and 4 **Block:** 5

Subdivision: Bahia Mar Estates

Key: Largo **PB:** 4-79

Real Estate Numbers: 00544120.000000 and 00544130.000000; and

2. **WHEREAS**, this Lot Aggregation Restrictive Covenant restricts the use of the legally described property in order to receive a building permit; and

3. **WHEREAS**, the above described parcels were assigned additional points in the Permit Allocation System for building permit #02-3-1534 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots; and

4. **NOW, THEREFORE**, the undersigned agree as follows:

- * The above described parcels shall have its density reduced from two dwelling units to one dwelling unit in consideration of a building permit to build a single-family residence; and

- * The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention the undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and

- * This covenant is intended to benefit and run in favor of the County of Monroe; and

* In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction, or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 4 day of March, 2005.

OWNER:

John C. Novick
(Signature) John C. Novick
13 Gulf Drive, Key Largo, FL 33037

John C. Novick
(Print/Type Name)

WITNESSES:

Gayle Nyman
(Signature)

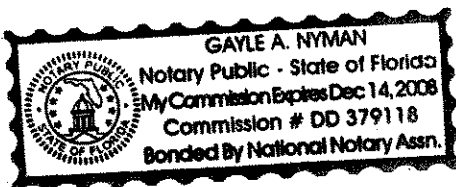
Gayle Nyman
(Print/Type Name)

Lesley M. Nickerson
(Signature)

Lesley M. Nickerson
(Type/Print Name)

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 4 day of March, 2005, by
John Novick, who is personally known to me, or produced
known as proof of identification and did take an oath.



Gayle A. Nyman
Notary Public (Print Name)

Gayle A. Nyman
Notary Public (Signature)

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Lot Aggregation Restrictive Covenant
RE Nos: 00544120.000000, 00544130.000000

